

# **EXHIBIT A**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ASARCO LLC,

Plaintiff,

v.

NL INDUSTRIES, INC., *et al.*,

Defendants.

Case No. 4:11-cv-00864-JAR

**DECLARATION OF GREGORY EVANS IN SUPPORT OF ASARCO LLC'S *LONE PINE* BRIEF ON CERCLA LIABILITY OF UNION PACIFIC RAILROAD COMPANY**

Gregory Evans, pursuant to 28 U.S.C. § 1746, makes the following declaration (the "Declaration") under penalty of perjury.

1. I am an attorney at Integer Law Corporation. I am familiar with the above-captioned action, and the documents set forth below, as a result of my role as counsel for Asarco LLC ("Asarco"). Based on my review of these documents in preparing this declaration, I have personal knowledge of the facts stated herein.

2. I submit this declaration in support of Asarco's *Lone Pine* Brief on CERCLA Liability of Union Pacific Railroad Company ("Union Pacific").

3. Attached as Exhibit B is a true and correct copy of the May 13, 2014 Declaration of Paul V. Rosasco, P.E.

4. Attached as Exhibit C is a true and correct copy of the March 3, 2008 Settlement Agreement Regarding the Southeast Missouri (SEMO) Sites, as filed on the United States Bankruptcy Court for the Southern District of Texas' docket in Case No. 05-21207 at Document No. 7070-1.

5. Attached as Exhibit D is a true and correct copy of the EPA's May 12, 2011 Site Description for the Big River Mine Tailings/St. Joe Minerals Corporation Site.

6. Attached as Exhibit E is a true and correct copy of the EPA's March 26, 2010 Site Description for the Madison County Mines Site.

7. Attached as Exhibit F is a true and correct copy of the January 27, 2014 Expert Report of Paul V. Rosasco P.E.

8. Attached as Exhibit G is a true and correct copy of excerpts of Robert Grimaila's November 7, 2013 deposition transcript.

9. Attached as Exhibit H is a true and correct copy of excerpts of John Hawkins' March 6, 2014 deposition transcript.

10. Attached as Exhibit I is a true and correct copy of Exhibit 73 to John Hawkins' March 6, 2014 deposition.

11. Attached as Exhibit J is a true and correct copy of Exhibit 71 to John Hawkins' March 6, 2014 deposition.

12. Attached as Exhibit K is a true and correct copy of Exhibit 4 to Franklin Brown's November 8, 2013 deposition.

13. Attached as Exhibit L is a true and correct copy of Exhibit 69 to John Hawkins' March 6, 2014 deposition.

14. Attached as Exhibit M is a true and correct copy of the November 30, 2000 Union Pacific Notice of Exemption to the Surface Transportation Board.

15. Attached as Exhibit N is a true and correct copy of Exhibit 60 to John Hawkins' March 6, 2014 deposition.

16. Attached as Exhibit O is a true and correct copy of Exhibit 61 to John Hawkins' March 6, 2014 deposition.

17. Attached as Exhibit P is a true and correct copy of Exhibit 58 to John Hawkins' March 6, 2014 deposition.

18. Attached as Exhibit Q is a true and correct copy of reports provided by environmental laboratory, Teklab, Inc.

19. Attached as Exhibit R is a true and correct copy of Exhibit 10 to Robert Grimaila's November 7, 2013 deposition.

20. Attached as Exhibit S is a true and correct copy of excerpts of Franklin Brown's November 8, 2013 deposition transcript.

21. Attached as Exhibit T is a true and correct copy of Exhibit 8 to Robert Grimaila's November 7, 2013 deposition.

22. Attached as Exhibit U is a true and correct copy of Exhibit 9 to Robert Grimaila's November 7, 2013 deposition.

23. Attached as Exhibit V is a true and correct copy of Exhibit 15 to Franklin Brown's November 8, 2013 deposition.

24. Attached as Exhibit W is a true and correct copy of the March 25, 2011 news article *Doe Run Resources, Missouri DNR Agree to Address Lead Contamination at St. Joe State Park in St. Francois County, MO*.

25. Attached as Exhibit X is a true and correct copy of the March 21, 2013 letter from Jason Gunter, Remedial Project Manager at the United States EPA, Region 7 to Gregory Evans, attorney at Integer Law Corporation.

26. Attached as Exhibit Y is a true and correct copy of the March 5, 2013 e-mail from Jason Gunter, Remedial Project Manager at the United States EPA, Region 7.

Executed on May 14, 2014.



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Gregory Evans